

IN THE UNITED STATES DISTRICT COURT FOR THE  
EASTERN DISTRICT OF VIRGINIA

Alexandria Division

RUSSELL L. EBERSOLE, d/b/a	)	
ABERDEEN ACRES PET CARE	)	
CENTER,	)	
	)	
Plaintiff,	)	
	)	1:12cv26 (JCC/TRJ)
v.	)	
	)	
BRIDGET KLINE-PERRY,	)	
	)	
Defendant.	)	

**O R D E R**

For the reasons stated in the accompanying Memorandum Opinion, it is hereby ORDERED that:

(1) Defendant's Motion for New Trial or, in the Alternative, to Alter the Judgment [90] is DENIED insofar as it seeks to set aside the jury's award of punitive damages or a reduction of that award as a matter of law;

(2) Defendant's Motion for New Trial or, in the Alternative, to Alter the Judgment [90] is DENIED CONDITIONALLY insofar as it seeks a new trial dependent on Plaintiff's acceptance of a remitted award of punitive damages in the amount of \$15,000;

(3) Plaintiff is DIRECTED to accept or reject, in writing and filed with the Court, this remittitur within ten (10) days of the date of this Order;

(4) Plaintiff's Motion for Attorneys' Fees and Costs

[88] is DEFERRED pending Plaintiff's decision on whether to accept or reject the remittitur; and

(5) the Clerk of the Court shall forward copies of this Order and the accompanying Memorandum Opinion to all counsel of record.

August 29, 2012  
Alexandria, Virginia

/s/

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James C. Cacheris  
UNITED STATES DISTRICT COURT JUDGE